

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TYRE FRED NEWSOME,

Plaintiff,

-against-

NEW YORK CITY FAMILY COURT, ET AL.,

Defendants.

24-CV-5265 (LTS)

ORDER DIRECTING PAYMENT OF FEE
OR AMENDED IFP APPLICATION

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. To proceed with a civil action in this Court, a plaintiff must either pay \$405.00 in fees – a \$350.00 filing fee plus a \$55.00 administrative fee – or, to request authorization to proceed without prepayment of fees, submit a signed application for leave to proceed *in forma pauperis* (IFP). *See* 28 U.S.C. §§ 1914, 1915. In addition, Rule 11(a) of the Federal Rules of Civil Procedure provides that “[e]very pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney’s name – or by a party personally if the party is unrepresented.” *See also* Local Civil Rule 11.1(a). The Supreme Court has interpreted Rule 11(a) to require “as it did in John Hancock’s day, a name handwritten (or a mark handplaced).” *Becker v. Montgomery*, 532 U.S. 757, 764 (2001).

Plaintiff submitted an incomplete and unsigned IFP application. Within thirty days of the date of this order, Plaintiff must either pay the \$405.00 in fees or submit a fully completed and signed IFP application. The requisite form is attached. If Plaintiff submits the IFP application, it should be labeled with docket number 24-CV-5265. If the Court grants the IFP application, Plaintiff will be permitted to proceed without prepayment of fees. *See* 28 U.S.C. § 1915(a)(1).

No summons shall issue at this time. If Plaintiff complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed.¹

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppededge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: July 12, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge

¹ Because Plaintiff failed to provide an address, the clerk's office will not be able to mail this order to him. If Plaintiff receives this order, he is alerted that he must provide an address to the Court. *See* the March 18, 2024 Standing Order.